

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ABEC, INC.,

Plaintiff,

v.

EAT JUST, INC., AND GOOD MEAT, INC.

Defendants.

CIVIL ACTION

NO. 23-1091

AMENDED STIPULATION AND SCHEDULING ORDER

WHEREAS, on January 18, 2024, this Court entered a scheduling order in the above captioned matter (ECF No. 57) (the “Scheduling Order”), setting forth certain case deadlines, including a fact discovery deadline of June 15, 2024;

WHEREAS, on May 9, 2024, this Court amended the Scheduling Order (ECF No. 102), changing the fact discovery deadline to September 13, 2024;

WHEREAS, on June 10, 2024, the Court appointed a Special Discovery Master, Amy Kurland, Esquire, to assist in resolving certain discovery disputes then outstanding between Plaintiff, ABEC, Inc., and Defendants, EAT JUST, Inc. and GOOD MEAT, Inc. (the “Parties”);

WHEREAS, on September 10, 2024, this Court entered a scheduling order in the above captioned matter (ECF No. 115) setting the following deadlines:

- a. January 24, 2025: completion of fact discovery;
- b. February 7, 2025: service of affirmative expert reports;
- c. February 28, 2025: service of rebuttal expert reports;
- d. March 14, 2025: expert depositions;
- e. April 7, 2025: summary judgment and *Daubert* motions.

WHEREAS, the projects at issue in the Amended Complaint and the Counterclaims involve five different jurisdictions and the claimed damages exceed \$100 million;

WHEREAS, the Parties have engaged in substantial meet-and-confer sessions which has allowed them to narrow and/or resolve multiple discovery disputes without Court intervention;

WHEREAS, the Parties have exchanged substantial written discovery and have worked to diligently throughout the holiday season to take multiple depositions;

WHEREAS, on December 18, 2024, the Special Discovery Master held a conference with the Parties at which several outstanding discovery issues were resolved;

WHEREAS, at the December 18, 2024 conference, the Parties jointly requested a one-week extension of the fact and expert discovery deadlines;

WHEREAS, at the December 18, 2024 conference, the Special Discovery Master expressed that the requested extension was appropriate, considering (1) the Parties' ongoing diligence; (2) the amount of discovery remaining; and (3) the fact that the extension would not affect the April 7, 2025 deadline for summary judgment and *Daubert* motions or any other existing case deadline;

AND NOW, THEREFORE, the Parties, by and through their undersigned counsel, respectfully request that the Court modify the Scheduling Order by approving this Stipulation and Proposed Scheduling Order containing the following amended case deadlines:

1. All fact discovery shall be completed **by January 31, 2025**.
2. Any affirmative expert reports shall be served **on or before February 14, 2025**.
3. Any rebuttal expert reports shall be served **on or before March 7, 2025**.
4. Any depositions of expert witnesses shall be completed **by March 21, 2025**.

5. Any motions for summary judgment and/or *Daubert* motions shall be filed and served **on or before April 7, 2025**. If the parties do not plan on filing summary judgment and/or *Daubert* motions, they shall so report to the Court **on or before April 7, 2025**. In all summary judgment filings, the parties shall comply with the provisions of this Court's Policies and Procedures regarding the submission of a joint appendix and of statements of undisputed and disputed material facts.
6. For all filings submitted and conferences held pursuant to this scheduling order, and for all pretrial and trial proceedings referred to herein, counsel shall follow Judge Beetlestone's Policies and Procedures, a copy of which can be found online at www.paed.uscourts.gov.

Respectfully submitted,

Dated: January 2, 2025

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IT IS SO ORDERED.

BY THE COURT:

Dated: January 6, 2025

S/ WENDY BEETLESTONE

WENDY BEETLESTONE, J.